

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

THORNON TALLEY,

Plaintiff,

v.

Case No. 06-C-909

JAMES DOYLE, et al.,

Defendants.

ORDER

Plaintiff Thornon Talley seeks reconsideration of my order dismissing his complaint or, alternatively, leave to file an amended complaint. He states that I misconstrued his claims and ignored the fact that he has a liberty interest in receiving the least restrictive conditions of confinement. He is incorrect. As the Seventh Circuit has held, “Federal precedent indicates that, even granting [plaintiff] the premise of his argument that [Wis. Stat.] §§ 51.61(1)(e) and 980.06(2)(b) give him a state-created right to the least restrictive conditions of confinement during transport, they do not provide a liberty interest cognizable under the Fourteenth Amendment.” *Thielman v. Leean*, 282 F.3d 478, 482 (7th Cir. 2002). Thus, none of the plaintiff’s arguments suggest that any constitutional rights have been affected. Accordingly, the motion for reconsideration and motion to amend are DENIED.

SO ORDERED this 11th day of October, 2006.

s/ William C. Griesbach
William C. Griesbach
United States District Judge